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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Case No. 1:16-cv-01880-CL

ANGIE WALKER

Plaintiff,

PLAINTIFF'S RESPONSE IN SUPPORT OF
OPPOSITION TO MOTION TO DISMISS UNDER OREGON'S
COMPARATIVE NEGLIGENCE LAW 31.600
AND 28 U.S. CODE § 2674 - LIABILITY OF
UNITED STATES

v.

UNITED STATES OF AMERICA

Defendant.

ARGUMENT

In Support of Opposition to Motion:

The USDA employees were in the/a position of responsibility to address the issues reported about the borrower's lack of response to the health and safety of the multi-family housing subsidized by USDA.

"The Agency has not found the management company to be in non-compliance with program regulations under 7 CFR 3560."

Was the response I received from Ramona Mitchell, Multi-Family Housing Program Director.

This response shows the clear duty/responsibility of the "Agency" MFHPD, Ramona Mitchell, has to ensure the program regulations are followed by the borrower, the management company, under which the program is being used for multi-family housing, making the USDA employees responsible for enforcing the program regulations.

Thereby the USDA employees are liable for their negligence to these applicable laws of the State of Oregon and Federal Law as they failed in their legally required degree of care to terminate the occupancy of the tenants which disrupted the livability of the housing by threatening the health and safety of other persons or the right of other persons to enjoyment of the premises and related facilities.

CONCLUSION

I Move to Strike the Motion with Prejudice. For the foregoing reasons and all the others discussed in Plaintiff's Complaint, the present Motion to Dismiss should be denied.

Angie Walker

January 5, 2018

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served via CM/ECF to Defendant, who is a registered CM/ECF user.

Angie Walker

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